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September 25, 2003

VIA HAND DELIVERY

United States EPA Region 5
Office of Public Affairs
Mail Code P-T9J
77 West Jackson Blvd.
Chicago, IL 60604-3590

Attn: Janet Pope, Community
Involvement Coordinator

VIA HAND DELIVERY AND

VIA EMAIL (cibulskis.karen@epa.gov)

United States EPA Region 5
Superfund Division
Mail Code SR-6J
77 West Jackson Blvd.
Chicago, IL 60604-3590

Attn: Karen Cibulskis, Remedial
Project Manager

**Re: Comments of Ecolab Inc. on the
USEPA's Proposed Cleanup Plan for
Groundwater Contamination
Evergreen Manor Site Roscoe, Illinois**

Dear Ms. Pope and Ms. Cibulskis:

INTRODUCTION

This letter and the enclosed report prepared by Conestoga-Rovers & Associates (CRA) entitled "Comments on the USEPA's Proposed Cleanup Plan for Groundwater Contamination" at the Evergreen Manor Site (CRA Report) collectively serve as the written comments of Ecolab Inc. (Ecolab Comments) to the United States Environmental Protection Agency's (USEPA) proposed cleanup plan (Proposed Plan) dated July 2003. Please include this letter and the CRA Report, including the CRA Report Section 9.0 references which are incorporated therein by reference, in the Agency's Administrative Record for the Evergreen Manor Site. As the USEPA extended the public comment period to and including September 25, 2003, the Ecolab Comments - - again, this letter and the CRA Report - - are timely submitted herewith to the Agency.

DISCUSSION

As described in the USEPA's Proposed Plan, which incorporates by reference the Groundwater Data Evaluation Report, the Sampling Report, the Remedial Investigation and the Feasibility Study Report prepared by USEPA's contractor, Weston, the Proposed Plan proposes Alternative 3, Monitored Natural Attenuation, at an estimated cost of \$8,500,000.00. This Alternative 3 is being proposed by the USEPA in addition to the \$2,000,000.00 plus remedy previously funded by Ecolab Inc. (Ecolab) and others, each of whom denied liability, and implemented by the USEPA in 1999-2000 when the Agency replaced private water supply wells with municipal water in the Evergreen Manor subdivision.

The municipal water supply remedy, coupled with a local ordinance prohibiting groundwater use, was and is protective of human health and the environment and, therefore, the Evergreen Manor Site does not pose a risk by a potential groundwater pathway, nor by vapor intrusion. Simply put, it is unjustified, then, for the Agency to now propose a cleanup plan approaching \$8,500,000.00.

As summarized in the Executive Summary to the CRA Report:

- Groundwater is not used by residents at the Evergreen Manor Site and so there can be no exposure via ingestion, dermal contact or inhalation from groundwater piped into homes,
- Groundwater chemical concentrations are decreasing over time and are near or below regulatory goals,
- The revised one page risk assessment prepared by EPA's contractor is faulty,
- The indoor air chemicals measured in houses at Evergreen Manor are from background sources and are unrelated to groundwater,
- The additional investigations and research proposed by EPA's contractor may implicate residents as responsible parties at the Site,
- The Feasibility Study, and associated recommendations, are unrelated to actual conditions at the Site.

Ecolab further submits that the Comments in the CRA Report evidence Weston's lack of compliance with USEPA's guidance documents, inadequate and inappropriate analysis, flawed and misapplied methodology, and the scientific unreliability of the reports, which reports were then utilized by the Agency in preparing the Proposed Plan. The contractor's findings and recommendations in the reports ill-serve the USEPA and the public.

Accordingly, Ecolab respectfully requests that the USEPA withdraw the Agency's Proposed Plan dated July 2003. Alternatively, in light of the comments set forth in the CRA Report, the USEPA should re-evaluate the three (3) cleanup options discussed in the Proposed Plan, and modify the Agency's proposed option. Instead, the USEPA should select what the CRA Report designates as Alternative 1B - - No Additional Action, or Alternative 3B - - Continued Monitoring. Otherwise, the USEPA should not assume that Ecolab will be willing to consider additional financial contributions to further fund technically unjustified and costly investigations, especially when Ecolab denies that the company is a potentially responsible party at the Evergreen Manor site.

COMMENTS

Therefore, Ecolab frames the above statements in the form of the following comments:

Ecolab Letter Comment 1: The USEPA should withdraw the Agency's Proposed Plan.

Ecolab Letter Comment 2: The USEPA should withdraw the Agency's proposed selection of Alternative 3 as the final cleanup plan, which would properly preclude an unwarranted study which may implicate residents as responsible parties at the Site.

Ecolab Letter Comment 3: The USEPA should modify the Agency's proposed selection of Alternative 3 and, instead, select either Alternative 1B or Alternative 3B as proposed by CRA in the CRA Report, as the final cleanup plan.

Ecolab Letter Comment 4: The USEPA would be acting in an arbitrary and capricious fashion not in accordance with the NCP and law if the Agency issues a Record of Decision selecting Alternative 3 as the final cleanup plan.

Janet Pope
Karen Cibulskis
September 25, 2003
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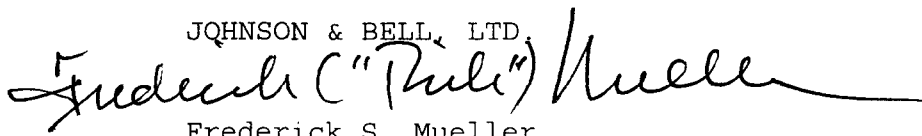
CLOSING

In closing, should the USEPA not withdraw the Proposed Plan, Ecolab respectfully requests the Agency to respond, in writing, to each Comment numbered herein and to each of the letter and numbered Comments in the CRA Report. Please forward a copy of the USEPA's response to this letter and to the CRA Report to the attention of the undersigned, as well as copies of USEPA's response to other comments received during the public comment period.

Thank you for your attention to this letter, the above Comments, and the CRA Report, collectively the Ecolab Comments. Should you have any questions, or need copies of any of the references referred to in the CRA Report, please do not hesitate to contact the undersigned.

Very truly yours,

JOHNSON & BELL, LTD.

A handwritten signature in dark ink, appearing to read "Frederick ('Puli') Mueller", is written over the typed name. The signature is fluid and cursive.

Frederick S. Mueller

FSM/tmr

Enclosure

cc: John Matson/USEPA-Assistant Regional Counsel (w/encl.)
Brian Davis/Ecolab Inc.
Bruce Clegg/CRA